

employee, and any other individual, in whom is vested the authority by law, rule, or regulation, or to whom the authority has been delegated, to appoint, employ, promote, or advance individuals, or to recommend individuals for appointment, employment, promotion, or advancement.

(c) *Chain of Command* is the line of supervisory personnel that runs from a public official to the head of his agency.

§ 310.103 Restrictions.

(a) A public official shall not advocate one of his relatives for appointment, employment, promotion, or advancement to a position in his agency or in an agency over which he exercises jurisdiction or control.

(b) A public official shall not appoint, employ, promote, or advance to a position in his agency or in an agency over which he exercises jurisdiction or control:

(1) One of his relatives; or

(2) The relative of a public official of his agency, or of a public official who exercises jurisdiction or control over his agency, if the public official has advocated the appointment, employment, promotion, or advancement of that relative.

(c) For the purpose of this section, a public official who recommends a relative, or refers a relative for consideration by a public official standing lower in the chain of command, for appointment, employment, promotion, or advancement is deemed to have advocated the appointment, employment, promotion, or advancement of the relative.

(d) This section does not prohibit the appointment in the competitive service of a preference eligible if (1) his name is within reach for selection from an appropriate certificate of eligibles and (2) an alternative selection cannot be made from the certificate without passing over the preference eligible and selecting an individual who is not a preference eligible.

Subpart B—Emergency Exceptions

§ 310.201 Coverage.

This subpart applies to an office, agency, or other establishment in the

executive, legislative, or judicial branch of the Federal Government, and in the government of the District of Columbia.

(5 U.S.C. 3110)

§ 310.202 Exceptions.

When necessary to meet urgent needs resulting from an emergency posing an immediate threat to life or property, or a national emergency as defined in § 230.402(a)(1) of this title, a public official may employ relatives to meet those needs without regard to the restrictions in section 3110 of title 5, United States Code, and this part. Appointments under these conditions are temporary not to exceed 1 month, but may be extended for a 2nd month if the emergency need still exists.

[60 FR 3058, Jan. 13, 1995]

PART 315—CAREER AND CAREER-CONDITIONAL EMPLOYMENT

Subpart A [Reserved]

Subpart B—The Career-Conditional Employment System

Sec.

315.201 Service requirement for career tenure.

315.202 Conversion from career-conditional to career tenure.

Subpart C—Career or Career-Conditional Employment From Registers

315.301 Tenure on appointment from register.

315.302 Acquisition of competitive status.

Subpart D—Career or Career-Conditional Employment by Reinstatement

315.401 Reinstatement.

315.402 Tenure on reinstatement.

315.403 Acquisition of competitive status.

Subpart E—Career or Career-Conditional Employment by Transfer

315.501 Transfer.

315.502 Tenure on transfer.

315.503 Acquisition of competitive status.

Subpart F—Career or Career-Conditional Appointment Under Special Authorities

315.601 Appointment of former employees of the Canal Zone Merit System or Panama Canal Employment System.